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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

8 JANICE MENDENHALL, *et al.*, No. C-11-4029 EMC  
9 Plaintiffs,

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V.

CITY AND COUNTY OF SAN  
FRANCISCO,

**Defendant.**

**AMENDED ORDER RE HEARING AND  
BRIEFING SCHEDULE ON  
DEFENDANT'S MOTION TO DISMISS**  
(Defendant's reply due December 7, 2011)

Defendant City and County of San Francisco's ("CCSF") motions to dismiss are currently set for hearing before the Court on November 28, 2011. Docket Nos. 9, 13.<sup>1</sup> Plaintiffs have not filed an opposition, and have orally represented to the Court that they did not receive a copy of Defendants' motion. Although the proof of service appears valid, the Court will, in the interest of justice, provide pro se Plaintiffs an opportunity to respond to the motion. Accordingly, the Court hereby enters the following order:

21 (1) Defendant's motion to dismiss shall be re-set for hearing before the Court on Friday,  
22 December 16, 2011, at 1:30 p.m., in Courtroom 5, 17th Floor, 450 Golden Gate  
23 Avenue, San Francisco, California.

24 (2) Plaintiffs Mendenhall and Cato shall file their opposition to Defendant's motion no  
25 later than Wednesday, November 30, 2011.

<sup>1</sup> The two motions appear identical, and the amended motion filed on October 14 merely set a new hearing date before the newly assigned judge. Accordingly, the Court will refer to the October 14 amended motion as the operative motion.

1                   (3)     Defendant shall file its reply no later than Wednesday, December 7, 2011.

2                   For the parties' convenience, the Court attaches Defendant's amended motion to dismiss to  
3 this Order.

4                   IT IS SO ORDERED.

5 Dated: November 15, 2011

6                     
7 EDWARD M. CHEN  
8 United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

MENDENHALL et al,

Plaintiff,

Case Number: CV11-04029 EMC

CITY AND COUNTY OF SAN FRANCISCO et al,

Defendant.

## **CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 15, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Janice Mendenhall  
P.O. Box 24370  
San Francisco, CA 94124

Mark Cato  
P.O. Box 24370  
San Francisco, CA 94124

Dated: November 15, 2011

  
Richard W. Wieking, Clerk  
By: Betty Lee, Deputy Clerk